

Amendment and Response
Applicants: Andrea Grignani et al.
Serial No.: 10/782,412

Attorney Docket: SBC1030US

REMARKS

Claims 1 to 42 were pending in this application. Claims 1 to 42 have been cancelled and claims 43 to 70 have been added. The new claims are similar to the previously pending claims or find support in the application as shown in the following chart.

<u>Claim</u>	<u>Corresponding earlier claim(s) and/or support in the application</u>
43	1, 16, 17, and page 17, line 14, to page 20, line 7
44	18
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62	35
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68	42
69	Page 17, lines 14 to 26
70	Page 17, lines 21 to 26, and FIG. 9

The Examiner made several rejections of the claims. Although Applicants disagree with these rejections, the claims have been amended to expedite the prosecution of this application. Independent claim 43 recites the subject matter of claims 1, 16, and 17 and also recites that “no electrostatic charging is used to deposit the active substance onto the surface of the stent”. All of the other pending claims depend from claim 43. Because claim 43 recites the subject matter of cancelled claim 17, which depended from claims 1 and 16, the only rejection in the January 17, 2007 Office Action that is relevant to the currently pending claims is the rejection of claim 17. All the other rejections have been rendered moot by the cancellation of the previously pending claims.

On page six of the January 17, 2007 Office Action, the Examiner rejected claims 1, 16, and 17 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Publication No. 2003/0134052 A1 to Dave.

Applicants respectfully traverse this rejection of the claims. Although Applicants disagree with the Examiner, the claims have been amended to expedite prosecution of this application. As noted above, claims 1 and 16 have been

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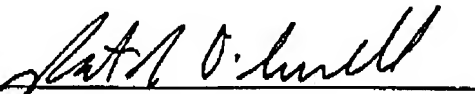
cancelled and independent claim 43 recites the subject matter of claims 1, 16, and 17. In addition, claim 43 recites that "no electrostatic charging is used to deposit the active substance onto the surface of the stent".

Dave describes an electrostatic process for coating. Dave does not teach or suggest a process that does not use electrostatic charging. Because the claimed invention recites that no electrostatic charging is used to deposit the active substance on the stent, Dave does not teach or suggest the claimed invention. Accordingly, Applicants respectfully request that the Examiner withdraw this rejection of the claims.

If any additional fees are due in connection with the filing of this paper, please charge the fees to our Deposit Account No. 16-2312. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our deposit account.

Respectfully submitted,

Date: May 17, 2007

By 
Customer No. 009561
Terry L. Wiles (29,989)
Patrick J. O'Connell (33,984)
POPOVICH, WILES & O'CONNELL, P.A.
650 Third Avenue South, Suite 600
Minneapolis, MN 55402
Telephone: (612) 334-8989
Attorneys for Applicants